

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RICKY BERNARD GREEN,

Case No. 3:23-cv-00478-ART-CLB

Plaintiff

ORDER

v.

JEFFREY STARK, et al.,

Defendants

On September 28, 2023, Plaintiff Ricky Green, an inmate at Humboldt County Jail, submitted an application to proceed *in forma pauperis* and a civil-rights complaint under 42 U.S.C. § 1983. (ECF Nos. 1, 1-1). The application to proceed *in forma pauperis* is incomplete because Plaintiff did not submit an inmate trust fund account statement for the previous six-month period with it. If Plaintiff has not been at Humboldt County Jail for a full six-month period, he must still submit a financial certificate and an inmate trust fund account statement for the dates he has been at that facility.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. *See id.* at § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. LSR 1-2. *In*

1 *forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing
2 fee, it just means that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

3 For the foregoing reasons, it is ordered that **on or before December 11, 2023**,
4 Plaintiff will either pay the full \$402 filing fee or file a copy of the inmate's trust fund
5 account statement for the previous six-month period.

6 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
7 he fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to
8 refile the case with the Court, under a new case number, when he can either pay the
9 required filing fee or file a complete application to proceed *in forma pauperis*.

10 It is further ordered that the Clerk of the Court will send Plaintiff Ricky Bernard
11 Green the approved form application to proceed *in forma pauperis* for an inmate and
12 instructions for the same.

13
14 DATED this 10th day of October 2023.


UNITED STATES MAGISTRATE JUDGE